

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Case No. 1:20-cr-00183-RJJ

Plaintiff,

v.

Hon. Robert J. Jonker

ADAM DEAN FOX

Defendant(s).

GOVERNMENT'S
INITIAL PRETRIAL CONFERENCE
SUMMARY STATEMENT

I. DISCOVERY

A. Statements of Defendant

1. Oral Statements (Rule 16(a)(1)(A))

- There are no written records of oral statements or other oral statements as defined in Rule 16(a)(1)(A).
 There are the following written records of oral statements:

-FBI Report of Custodial Interrogation (also audio/video recorded)

The substance of which

- has been disclosed to defense counsel.
 will be disclosed to defense counsel by January 15, 2021.

2. Written or Recorded Statements (Rule 16(a)(1)(B))

- There are no written or recorded statements or grand jury testimony of defendant.
 There are the following written or recorded statements or grand jury testimony:

-Audio recordings (covert surveillance)
-Audio/video recording of custodial interview
-Text messages, chats
-Audio/video recordings sent through social media

All written or recorded statements

- have been disclosed to defense counsel.
 will be disclosed to defense counsel by January 15, 2021.

B. Defendant's Prior Record (Rule 16(a)(1)(D))

- The Government has made due inquiry and is not aware of any prior criminal record.
- The Government has disclosed defendant's prior criminal history.
- The Government is now making inquiry into defendant's prior criminal history. The results will be disclosed to defense counsel upon receipt.

C. Documents and Tangible Objects (Rule 16(a)(1)(E))

- The Government has no documents, tangible objects, or physical evidence required to be disclosed.

- The Government has the following documents, tangible objects, and physical evidence:

Drug Paraphernalia Drug Records Inventory (attached)
 Controlled Substances: _____
 Records: _____
 Firearms: _____ See returns on warrants listed below
 Other: _____ Taser (from arrest); see also returns on warrants listed below

- The Government voluntarily notifies the defendant of the following search warrants issued and the warrant returns:

State
 Federal:
Case No. 20-mj-411 (vehicle) Re: 20-mj-450 (phone)
Case No. 20-mj-412 (residence) Re: 20-mj-349, 392, 393, 394, 396 (ping)
Case No. 20-mj-453 (guns) Re: 20-mj-361 (Facebook)

- They have been made available for inspection and copying by defense counsel.

- Defense counsel should make arrangements with:

FBI Special Agent Richard Trask

D. Reports of Examinations and Tests (Rule 16(a)(1)(F))

- The Government has no reports of examinations or tests required to be disclosed by Rule 16.

- The Government has or expects to have reports of the following examinations and tests:

Drug Analysis Handwriting Fingerprints
 DNA Firearms/Nexus Gun Operability
 Computer Forensics Other: 3D Rendering of Residence

E. Reciprocal Discovery

- The Government seeks reciprocal discovery.

F. Notice Under FRE 404(b)

- The Government does not presently intend to introduce 404(b) evidence.
 The Government does presently intend to introduce the following 404(b) evidence:

- The Government will provide pretrial notice of 404(b) evidence by _____.

G. Other Discovery Matters

II. TRIAL

- A. The Government requests a jury non-jury trial.
B. The length of trial excluding jury selection is estimated at _____ 3 weeks _____.

III. MISCELLANEOUS

The parties acknowledge that if the case is appropriate for expedited resolution, a joint motion for expedited sentencing shall be filed within 14 days of arraignment.

- The Government is unaware at this time of any known conflict with defendant's representation by counsel. The United States will immediately advise counsel if any such conflict becomes known.
 The Government is aware of the following potential conflicts:

- Government's plea negotiation policy:

To benefit from concessions by the government, Defendant must enter plea agreement 4 weeks before the final pretrial conference.

Date December 17, 2020

Austin J. Hakes
Counsel for the United States